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February 24, 2023

Clerk of the Court
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

**Re: Wickapogue 1 LLC et al v. Blue
Castle (Cayman) Ltd.,
No. 23-cv-0561**

Dear Sir or Madam,

Our office represents the plaintiffs, Wickapogue 1 LLC, Nicole Gallagher and Mark Gallagher in the above referenced action and represent the same parties as defendants in civil action no 22-cv-05422, currently pending before Judge Gary Brown.

On February 15, 2023, Judge Gonzalez directed the defendant, Blue Castle (Cayman) Ltd ("Blue Castle") to submit a letter to the Clerk of the Court, on or before February 22, 2022, explaining why the two cases are related. In their letter, the Defendants maintain that the two cases are not related and there will not be a substantial saving of judicial resources if the two cases are related. The plaintiffs disagree.

The action in front of this Court was removed from Suffolk County Supreme Court, and is seeking a declaratory judgment, for amongst, other things, a judgment that Blue Castle acted in bad faith, breached the implied covenant of good faith and fair dealing, which directly led to the sale of the subject property, 145 Wickapogue Rd, Southampton, New York. In fact, while the plaintiffs were expecting a UCC sale of the property, they have learnt that defendant Blue Castle is the new owner of the subject property.

In the Complaint removed from Suffolk County Supreme Court, the plaintiffs allege that they made the payments toward the mortgage through the maturity date, but the defendant's unfair dealings led to the commencement of the foreclosure action as well the UCC sale. They further allege that the defendants not only elected to foreclose based upon their claim of default pursuant to the loan agreement but also sought to enforce a Pledge Agreement, which interfered with plaintiffs equitable right of redemption. The facts and legal issues of both actions are

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intertwined and as the parties continue to the discovery schedule and depositions are conducted it will be judicially expeditious to consolidate both cases, which plaintiffs agree should be under this case pending before Judge Gonzalez.

I thank the Court for its consideration in this matter.

Sincerely,
Gordon & Gordon, P.C.

/s/Peter S. Gordon, Esq
Peter S. Gordon, Esq
Attorney for Defendants

Cc: All counsel via ECF